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PATENT  
Attorney Docket No.: 15270J-004754US

TOWNSEND and TOWNSEND and CREW LLP

By: 

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Dale B. Schenk

Application No.: 10/823,463

Filed: April 12, 2004

For: PREVENTION AND TREATMENT  
OF AMYLOIDOGENIC DESIGN

Customer No.: 20350

Confirmation No.

Examiner: Christopher J. Nichols

Technology Center/Art Unit: 1647

RESPONSE TO RESTRICTION  
REQUIREMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Restriction Requirement mailed February 4, 2005. The original deadline for response was March 4, 2005. A two-month petition for extension of time is enclosed, thus extending the deadline to May 4, 2005. Accordingly, this response is timely filed. Please enter the following remarks.

Remarks/Arguments begin on page 2 of this paper.

Appl. No. 10/823,463  
Amdt. dated May 3, 2005  
Reply to Office Action of February 4, 2005

PATENT

**REMARKS/ARGUMENTS**

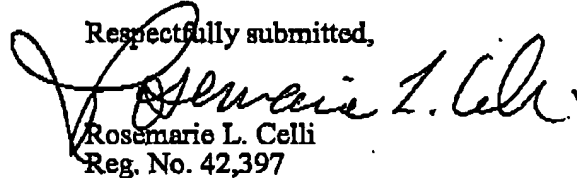
After entry of this amendment, claims 69-110 are pending in this application, and claims 69-105 are under consideration.

The Examiner has required restriction of the instant application to one of three inventions (Groups I-III) under 35 U.S.C. § 121. In particular, the invention of Group I (claims 69-105) is drawn to a composition comprising antibodies; the invention of Group II (claims 106-108) is drawn to a method for detecting amyloid  $\beta$  protein using antibodies; and the invention of Group III (claims 109-110) is drawn to a method for reducing or terminating the progression of amyloidogenic disease in a patient comprising administering a composition comprising antibodies.

Applicant elects the invention of Group I (claims 69-105) without traverse. Applicant reserves the right, under 35 U.S.C. § 120, to pursue the non-elected inventions of Groups II and III in separate divisional patent applications. Applicant also reserves the right to have the method claims (*i.e.*, the inventions of Groups II and III) rejoined with the product claims (*i.e.*, the invention of Group I). In particular, the Examiner states that "method claims that depend from or otherwise include all the limitations of the patentable product will be entered as a matter of right if the amendment is presented prior to final rejection or allowance."

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



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